

REMARKS

This application pertains to a novel adhesive tape for flying splice.

Claims 1-12 and 14-17 are pending.

Claims 1-12 and 14-17 stand rejected for obviousness type double patenting over claims 1-12 of Storbeck US 6,595,461 (SN 09/490,709) in view of either the Handbook of Adhesives or Weirauch et al.

This rejection is believed overcome by the accompanying Terminal Disclaimer pertaining to U.S. 6,595,461. The rejection should accordingly be withdrawn.

Claims 1-12 and 14-17 stand provisionally rejected for obviousness-type double patenting over claims 1-12 of copending application 09/877,621 in view of either the Handbook of Adhesives or Weirauch.

The accompanying Terminal Disclaimer regarding application Serial No. 09/877,621 is believed to obviate this rejection. The rejection should accordingly be withdrawn.

Claims 1-12 and 14-17 stand rejected under 35 USC 103(a) as obvious over Storbeck either taken individually or in view of the Handbook of Adhesives or Weirauch.

Applicants have previously pointed out that their priority date of December 2,

1999 antedates the effective filing date of U.S. 6,595,461, which is January 24, 2000.

The enclosed certified translation of Applicants' priority document perfects their claim to this priority date.

The rejection of claims 1-12 and 14-17 under 35 USC 103(a) as obvious over Storbeck individually or in view of the Handbook of Adhesives or Weirauch should accordingly now be withdrawn.

In view of the foregoing, it is believed that claims 1-12 and 14-17 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

Should the Examiner not deem the present amendment and remarks to place the instant claims in condition for allowance, it is respectfully requested that this Amendment Under Rule 116 be entered for the purpose of placing the prosecution record in better condition for appeal.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

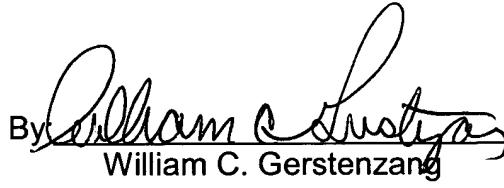
Please charge any insufficiency of fees, or credit any excess, to Deposit Account

No. 14-1263.

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCUS, P.A.

By



William C. Gerstenzang

Reg. No. 27,552

WCG/jh

Enclosures: Terminal Disclaimers (2)

Certified translation of DE 199 58 223.8

220 East 42nd Street
30th Floor
New York, New York 10017
(212) 808-0700

I hereby certify that this correspondence is being deposited with sufficient postage with the United States Postal Services as Express Mail, Label No. EL 973658005 US in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 20, 2003.

By



Julie Harting

Date October 20, 2003